

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
2 Including Professional Corporations
PETER H. KLEE, Cal. Bar No. 111707
3 JOSEPH E. FOSS, Cal. Bar No. 198294
501 West Broadway, 18th Floor
4 San Diego, California 92101-3598
Telephone: 619.338.6500
5 Facsimile: 619.234.3815
E mail PKlee@sheppardmullin.com
6 JFoss@sheppardmullin.com

7 Attorneys for Defendant
ALLSTATE NORTHBROOK INDEMNITY COMPANY
8 erroneously sued as Allstate Indemnity Company

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
11 SACRAMENTO DIVISION
12

13 JAMES GLORIA,

14 Plaintiff,

15 v.

16 ALLSTATE INDEMNITY COMPANY,
17 a business entity; and DOES 1 through 50,
18 inclusive,

19 Defendants.
20
21
22
23
24
25
26
27
28

Case No. 2:22-cv-01126-WBS-CKD

**FURTHER STIPULATION TO MODIFY
SCHEDULING ORDER AND BRIEFING
SCHEDULE RE OF CROSS-MOTIONS
FOR SUMMARY JUDGMENT; ORDER**

Hon. William B. Shubb
Courtroom 5, 14th Floor

Magistrate Judge Carolyn K. Delaney
Courtroom 24, 8th Floor

1 This stipulation is hereby entered into by and between plaintiff James Gloria and defendant
2 Allstate Northbrook Indemnity Company, by and through their respective counsel, for the purpose
3 of modifying the Court's Scheduling Order (Docket No. 18) and Order Modifying the Briefing
4 Schedule on Cross-Motions for Summary Judgment (Docket No. 22).

5 Whereas, the parties are in the process of conducting the discovery that is necessary for the
6 filing of their cross-motions for summary judgment;

7 Whereas, plaintiff has completed the first session of the deposition of Allstate's person
8 most knowledgeable and the parties will schedule a second session to take place on a mutually
9 convenient date;

10 Whereas, plaintiff has further noticed the deposition of a former Allstate employee to take
11 place on April 1, 2025;

12 Whereas, the parties have discussed the other witnesses who will need to be deposed in
13 this case – namely plaintiff Gloria and plaintiff's arbitration counsel, Mr. Schwinghamer – and are
14 working on scheduling depositions;

15 Whereas, the parties have met and conferred regarding the filing of cross-motions for
16 summary judgment and agree that such motions would be appropriate in this case;

17 Whereas, the parties would like to defer the time and expense of expert discovery and
18 certain fact discovery until after the Court has ruled on the cross-motions for summary judgment;

19 Whereas, the current filing deadline for the parties' cross-motions for summary judgment
20 is March 21, 2025;

21 Whereas, the current filing deadline for the parties' oppositions to cross-motions for
22 summary judgment is April 18, 2025;

23 Whereas, the current filing deadline for the parties' reply briefs in support of their cross-
24 motions for summary judgment is May 2, 2025;

25 Whereas, the current hearing date for the parties' cross-motions for summary judgment is
26 May 12, 2025 at 1:30 p.m.;

27 Whereas, the current deadline to disclose experts and produce expert reports is June 4,
28 2025;

1 Whereas, the current deadline to disclose rebuttal experts and produce rebuttal expert
2 reports is July 3, 2025;

3 Whereas, the current discovery completion date is July 17, 2025;

4 Whereas, the current deadline to file all motions, except motions for continuances,
5 temporary restraining orders, or other emergency applications, is July 24, 2025;

6 Whereas, the final pretrial conference is currently scheduled for September 8, 2025, at 1:30
7 p.m.;

8 Whereas, trial is currently scheduled for November 4, 2025 at 9:00 a.m.;

9 Whereas, the parties have met and conferred and agree that the foregoing case management
10 dates and deadlines should be continued to allow additional time to conduct the discovery needed
11 to file cross-motions for summary judgment and to set a briefing schedule for those motions such
12 that any further discovery (including expert discovery) can be deferred until after the Court rules
13 on the parties' cross-motions;

14 Therefore, subject to the Court's approval, the Parties, by and through their respective
15 attorneys of record, hereby stipulate to modify the Court's Scheduling Order (Docket No. 18) and
16 Order Modifying the Briefing Schedule on Cross-Motions for Summary Judgment (Docket No.
17 22), as proposed below:

18 1. The parties' cross-motions for summary judgment shall be filed on or before
19 August 1, 2025;

20 2. Any opposition to the parties' cross-motions for summary judgment shall be filed
21 on or before August 29, 2025;

22 3. Any reply brief in support of the parties' cross-motions for summary judgment
23 shall be filed on or before September 22, 2025;

24 4. The hearing date for the parties' cross-motions for summary judgment shall be
25 scheduled for October 14, 2025 at 1:30 p.m.;

26 5. The deadline to disclose experts and produce expert reports shall be continued to
27 November 3, 2025;

28

6. The deadline to disclose rebuttal experts and produce rebuttal expert reports shall be continued to December 1, 2025;

7. The discovery completion date shall be continued to December 19, 2025;

8. The deadline to file all motions, except motions for continuances, temporary restraining orders, or other emergency applications, shall be continued to January 9, 2026;

9. The final pretrial conference shall be continued to March 23, 2026 at 1:30 p.m.; and

10. The trial date shall be continued to May 12, 2026 at 9:00 a.m.

IT IS SO STIPULATED.¹

Dated: March 19, 2025

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By

/s/ Joseph E. Foss

JOSEPH E. FOSS

Attorneys for Defendant

Allstate Northbrook Indemnity Company

Dated: March 19, 2025

By

/s/ Jonathan Amir Durham

JONATHAN AMIR DURHAM

Attorneys for Plaintiff

James Gloria

¹ The filer certifies that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

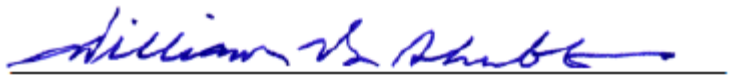
ORDER

Having considered the Stipulation and for good cause shown, IT IS HEREBY ORDERED that the Court's Scheduling Order (Docket No. 18) and Order Modifying the Briefing Schedule on Cross-Motions for Summary Judgment (Docket No. 22) be modified as follows:

1. The parties' cross-motions for summary judgment shall be filed on or before August 1, 2025;
2. Any opposition to the parties' cross-motions for summary judgment shall be filed on or before August 29, 2025;
3. Any reply brief in support of the parties' cross-motions for summary judgment shall be filed on or before September 22, 2025;
4. The hearing date for the parties' cross-motions for summary judgment shall be scheduled for October 14, 2025 at 1:30 p.m.;
5. The deadline to disclose experts and produce expert reports shall be continued to November 3, 2025;
6. The deadline to disclose rebuttal experts and produce rebuttal expert reports shall be continued to December 1, 2025;
7. The discovery completion date shall be continued to December 19, 2025;
8. The deadline to file all motions, except motions for continuances, temporary restraining orders, or other emergency applications, shall be continued to January 9, 2026;
9. The final pretrial conference shall be continued to March 23, 2026 at 1:30 p.m.; and
10. The trial date shall be continued to May 12, 2026 at 9:00 a.m.

IT IS SO ORDERED.

Dated: March 20, 2025


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE